

02-22-06

AF *[signature]*

DOCKET NO. 3802-170-27

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE Cheng CHENG et al. ART UNIT: 1642

APPLICATION

OF:

SERIAL NO.: 10/081,969

EXAMINER: Maria Marvich

FILING DATE: February 22, 2002

FOR: NOVEL ONCOLYTIC ADENOVIRAL VECTORS

NOTICE OF APPEAL

COMMISSIONER FOR PATENTS

PO BOX 1450

ALEXANDRIA, VA 22313-1450

SIR:

Applicants hereby appeal to the Board of Appeals from the decision dated **September 19, 2005**.

The items checked below are appropriate:

- ☐ A Request for Extension of Time Under 37 C.F.R. 1.136 was filed for months.
- ☒ A timely response to the final rejection was filed on January 19, 2006
- ☒ A Request for Extension of Time for filing the Notice of Appeal is attached.

Fee: ☐ \$500.00 (large entity) ☒ \$ 250.00 (Applicant claims small entity status.)

☒ Is enclosed.

☒ Please charge Deposit Account No. 07-1896 (an additional copy of fee transmittal is enclosed).

☒ Please charge any additional fees or credit any overpayment of fees required for filing the Notice of Appeal to Deposit Account No. 07-1846.

☒ If this Notice is not considered timely by the U.S. Patent and Trademark Office, then a request is hereby made under 37 C.F.R. 1.136, and any additional fees required for any necessary extension of time may be charged to Deposit Account No. 07-1846.

Respectfully submitted,

DLA PIPER RUDNICK GRAY CARY US LLP

[Signature]
Linda R. Judge
Registration No. 42,702

02/23/2006 CCHAU1 00000031 071896 10081969

01 FC:2401 250.00 DA
02 FC:2252 ~~225.00 DA~~

1200 Nineteenth Street, N.W.
Washington, D.C. 20036-2412
Telephone No. (202) 861-3900
Facsimile No. (202) 223-2085